

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s) : Yoshihiro USUI et al.

Group Art Unit: Unknown

Appln. No. : 10/538,766
(National Stage of PCT/JP2003/015968)

Examiner: Unknown

I.A. Filed : December 12, 2003

Confirmation No.: 5553

For : 3-SUBSTITUTED-4-PYRIMIDONE DERIVATIVES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner, which includes information cited and discussed in the specification, the International Search Report, and the International Preliminary Examination Report issued in connection with International Application No. PCT/JP2003/015968. Copies of the International Search Report (in English), and the International Preliminary Report on Patentability (in English) were enclosed with the papers when entering the National Stage on June 10, 2005. The Examiner is invited to review these materials to inspect the relevance indicated during international examination with respect to the documents cited therein.

G. GLENNER et al., Biochemical and Biophysical Research Communications, Vol. 120, No. 3, 1984, pp. 885-890, which is cited on page 1 of the specification;

C.L. MASTERS et al., The EMBO Journal, Vol. 4, No. 11, 1985, pp. 2757-2763, which is cited on page 1 of the specification;

C.L. MASTERS et al., Proc. Natl. Acad. Sci. USA, Vol. 82, June 1985, pp. 4245-4249, which is cited on page 1 of the specification;

C.M. WISCHIK et al., Proc. Natl. Acad. Sci. USA, Vol. 85, June 1988, pp. 4506-4510, which is cited on page 2 of the specification;

J. KONDO et al., Neuron, Vol. 1, November 1988, pp. 827-834, which is cited on page 2 of the specification;

R. SHERRINGTON et al., Nature, Vol., 375, June 29, 1995, pp. 754-760, which is cited on page 2 of the specification;

E. LEVY-LAHAD et al., Science, Vol. 269, August 18, 1995, pp. 973-977, which is cited on page 2 of the specification;

E.I. ROGAEV et al., Nature, Vol. 376, August 31, 1995, pp. 775-778, which is cited on page 2 of the specification;

D.R. BORCHELT et al., Neuron, Vol. 17, November 1996, pp. 1005-1013, which is cited on page 2 of the specification;

T. TOMITA et al., Proc. Natl. Acad. Sci. USA, Vol. 94, March 1997, pp. 2025-2030, which is cited on page 2 of the specification;

Sai-Shin Igaku, Vol. 49, No. 9, 1994, pp. 1506-1512, which is cited on page 2 of the specification;

D.W. DICKSON et al., Society for Neuroscience Abstracts, Vol. 17, 1991, pp. 1445, which is cited on page 2 of the specification;

R. SIMAN et al., The Journal of Neuroscience, Vol. 10, No. 7, July 1990, pp. 2400-2411, which is cited on page 2 of the specification;

Shin-kei Shinpo, Vol. 34, 1990, pp. 343-349, which is cited on page 2 of the specification;

Tanpaku-shitu Kaku-san Koso, Vol. 41, 1996, pp. 1476-1483, which is cited on pages 2 and 3 of the specification;

Tanpaku-shitu Kaku-san Koso, Vol. 36, 1991, pp. 2-11, which is cited on page 2 of the specification;

Igaku no Ayumi, Vol. 158, No. 9, August 31, 1991, pp. 511-514, which is cited on page 2 of the specification;

Y. IHARA et al., J. Biochem., Vol. 99, 1986, pp. 1807-1810, which is cited on page 3 of the specification;

I. GRUNDKE-IQBAL et al., Proc. Natl. Acad. Sci. USA, Vol. 83, July 1986, pp. 4913-4917, which is cited on page 3 of the specification;

Seikagaku, Vol. 64, No. 5, pp. 308-312, which is cited on page 3 of the specification;

K. ISHIGURO et al., J. Biol. Chem., Vol. 267, No. 15, May 25, 1992, pp. 10897-10901, which is cited on page 4 of the specification;

JP HEI 6-239893, together with an English language abstract, which is cited on page 3 of the specification;

K. ISHIGURO et al., FEBS Lett., Vol. 325, July 1993, pp. 167-172, which is cited on page 3 of the specification;

B.A. YANKNER et al., Science, Vol. 250, 1990, pp. 279-283, which is cited on page 3 of the specification;

A. TAKASHIMA et al., Proc. Natl. Acad. Sci. USA, Vol. 90, August 1993, pp. 7789-7793, which is cited on page 3 of the specification;

JP HEI 6-329551, together with an English language abstract, which is cited on page 3 of the specification;

WO 98/24782, which is cited on page 4 of the specification;

WO 00/18758, which is cited on page 5 of the specification;

WO 01/70728, which is cited on page 5 of the specification;

WO 01/70729 A1, and family member U.S. Patent No. 6,844,335, which is cited on page 5 of the specification;

EP 0 354 179 A, which is cited on page 28 of the specification;

WO 03/037888 A;

WO 03/027080 A;

Applicants also bring to the attention of the Examiner:

U.S. Patent No. 6,586,441;

U.S. Patent Application Publication No. 2003/0187004 A1;

U.S. Patent No. 4,507,302;

U.S. Patent No. 4,619,933;

EP 0 168 262, accompanied by U.S. family member U.S. Patent No. 4,725,600;

EP 1 136 482;

JP SHO 49-035631

JP SHO 49-35632;

JP SHO 49-035633

JP SHO 49-35634;

JP SHO 52-071481, accompanied by an English language abstract;

WO 98/24780

WO 98/24782, accompanied by HU P001698 A and family members U.S. Patent Nos. 6,096,753, 6,410,729 B1, and 6,420,385 B1.

WO 93/11231;

Chemical Abstracts, Vol. 100, No. 28, 1984, Columbus, Ohio, US, Abstract No. 174768e, M.F. BRANA et al., "Reaction of N-(1-Oxido-4-Pyridylmethyl)-3,5-Dimethylbenzamide with Malononitrile in Acetic Anhydride", page 627; XP002127059;

Chemical Abstracts, Vol. 84, No. 7, 1976, Columbus, Ohio, US, Abstract No. 44112b, Tani et al., "4-Hydroxy-Pyridylpyrimidine Derivatives", Page 502, XP002127060;

Chemical Abstracts, Vol. 82, No. 28, 1975, Columbus, Ohio, US, Abstract No. 171028n, Tani et al., "2,4,5-Trisubstituted-6-Pyridylpyrimidine Derivatives", page 555, XP002127061;

Chemical Abstracts, Vol. 83, No. 28, 1975, Columbus, Ohio, US, Abstract No. 10127z, Tani et al., "5-Nitro-6-Pyridylpyrimidine Derivatives", page 853, XP002127062;

Chemical Abstract 1992, Vol. 116, Abstract # 59167;

Chemical Abstract 1966, Vol. 65, Abstract # 90645.

Von Hans-Joachim KABBE, "Substituierte 4-Hydroxy- und 4-Amino-Pyrimidine", Liebigs. Ann. Chem., Vol. 701, pp. 144-149 (1967); and

Harvey I. SKULNICK et al., "Pyrimidinones. 1. 2-Amino-5-Halo-6-Arly-4(3H)-Pyrimidinones. Interferon-Inducing Antiviral Agents", J. Med. Chem., Vol. 28, pp 1864-1869 (1985).

H. YINGLIN, Tetrahedron Letters, Vol. 30, No. 39, 1989, pp. 5285-5286;

H. YINGLIN, Synthesis, pp. 122-124, February 1990;

R.L. DUNCAN Jr. et al., J. Med. Chem., Vol. 13, No. 1, January 1970, pp. 1-6;

D.L. THAI et al., J. Med. Chem., Vol. 41, 1998, pp. 591-601;

HU 218974 B, and English language family member U.S. Patent No. 5,612,286

U.S. Patent No. 6,107,301

Applicants also bring to the Examiner's attention the following applications, which disclose subject matter related to that of the present application:

U.S. Patent Application No. 09/787,426, to WATANABE et al., which is the national stage of PCT/JP99/05224, filed September 24, 1999, which published as WO 00/18758, on April 6, 2000;

U.S. Patent Application No. 10/489,606, to Uehara et al., which published as U.S. 2005/0090490 A1, which is the national stage of PCT/JP2002/09685, filed September 20, 2002, which published as WO 03/037888 on May 8, 2003;

U.S. Patent Application No. 10/489,607, to Uehara et al., which published as U.S. 2005/0130967 A1, which is the national stage of PCT/JP02/09684, filed September 20, 2002, which published as WO 03/027080, on April 3, 2003; and

U.S. Patent Application 10/550,299, which published as published as U.S. 2006/0252768 A1, to WATANABE et al. which is the national stage of PCT/JP2004/004320, which published as WO 2004/085408, on October 7, 2004.

Applicants also bring to the attention of the Examiner documents cited by the Examiner in an Office Action mailed in U.S. Patent Application No. 10/550,299:

Anthony R. WEST, Solid State Chemistry and Its Applications", Wiley, New York, 1988
pp. 358 and 365; and

Sudha R. VIPPAGUNTA et al., "Crystalline Solids", Advance Drug Delivery Reviews,
Vol. 48, pp. 3-26 (2001).

Applicants also bring to the attention of the Examiner documents cited by the Examiner
in Office Actions mailed in previously cited U.S. Patent Application No. 09/787,426:

U.S. Patent No. 6,107,301;

U.S. Patent No. 6,844,335;

U.S. Patent Application Publication No. 2005/0130998 A1;

TANI et al., CAPLUS Abstract 84:44112 (1976);

Joachim ULRICH, Chapter 4: Crystallization, Krik-Othmer Encyclopedia of Chemical
Technology (August 2002)

Anthony R. WEST, Solid State Chemistry and Its Applications", Wiley, New York, 1988
pp. 358 and 365; and

Sudha R. VIPPAGUNTA et al., "Crystalline Solids", Advance Drug Delivery Reviews,
Vol. 48, pp. 3-26 (2001).

The Examiner is invited to review the related applications.

In accordance with 37 C.F.R 1.98 and the waiver thereof, copies of the U.S. Patents, U.S.
Patent Application Publications, and U.S. Patent Applications, are not enclosed herewith.
However, if any copies are needed, the Examiner is respectfully requested to contact the
undersigned.

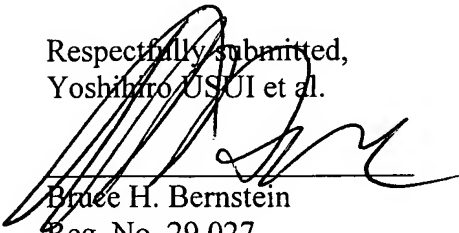
Copies of the above-noted documents, except for U.S. Patents, U.S. Patent Application Publications, and U.S. Patent Application, are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO-1449. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicants note that while this Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received an action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if an action on the merits has been mailed prior to the filing date of this Information Disclosure Statement, Applicants hereby authorizes the charging of any required fees necessary for consideration of the documents cited herein to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully submitted,
Yoshinori USUI et al.


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FORM PTO-1449

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
P27997Application No.
10/538,766INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

Applicant
Yoshihiro USUI et al.I.A. Filing Date
December 12, 2003Group
Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
6	- 2 3 9 8 9 3	08/30/94	JAPAN		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	G. GLENNER et al., Biochemical and Biophysical Research Communications, Vol. 120, No. 3, 1984, pp. 885-890,
2	C.L. MASTERS et al., The EMBO Journal, Vol. 4, No. 11, 1985, pp. 2757-2763,
3	C.L. MASTERS et al., Proc. Natl. Acad. Sci. USA, Vol. 82, June 1985, pp. 4245-4249.
4	C.M. WISCHIK et al., Proc. Natl. Acad. Sci. USA, Vol. 85, June 1988, pp. 4506-4510.
5	J. KONDO et al., Neuron, Vol. 1, November 1988, pp. 827-834.
6	R. SHERRINGTON et al., Nature, Vol., 375, June 29, 1995, pp. 754-760.
7	E. LEVY-LAHAD et al., Science, Vol. 269, August 18, 1995, pp. 973-977.
8	E.I. ROGAEV et al., Nature, Vol. 376, August 31, 1995, pp. 775-778.
9	D.R. BORCHELT et al., Neuron, Vol. 17, November 1996, pp. 1005-1013.
10	T. TOMITA et al., Proc. Natl. Acad. Sci. USA, Vol. 94, March 1997, pp. 2025-2030.
11	Sai-Shin Igaku, Vol. 49, No. 9, 1994, pp. 1506-1512.
12	D.W. DICKSON et al., Society for Neuroscience Abstracts, Vol. 17, 1991, pp. 1445.
13	R. SIMAN et al., The Journal of Neuroscience, Vol. 10, No. 7, July 1990, pp. 2400-2411.
14	Shin-kei Shinpo, Vol. 34, 1990, pp. 343-349.
15	Tanpaku-shitu Kaku-san Koso, Vol. 41, 1996, pp. 1476-1483.
16	Tanpaku-shitu Kaku-san Koso, Vol. 36, 1991, pp. 2-11.
17	Igaku no Ayumi, Vol. 158, No. 9, August 31, 1991, pp. 511-514.
18	Y. IHARA et al., J. Biochem., Vol. 99, 1986, pp. 1807-1810.
19	I. GRUNDKE-IQBAL et al., Proc. Natl. Acad. Sci. USA, Vol. 83, July 1986, pp. 4913-4917.
20	Seikagaku, Vol. 64, No. 5, pp. 308-312.
21	K. ISHIGURO et al., J. Biol. Chem., Vol. 267, No. 15, May 25, 1992, pp. 10897-10901.
22	K. ISHIGURO et al., FEBS Lett., Vol. 325, July 1993, pp. 167-172.
23	English Language Abstract of JP 6-239893, Date Publication 08/30/94.
24	B.A. YANKNER et al., Science, Vol. 250, 1990, pp. 279-283.
25	A. TAKASHIMA et al., Proc. Natl. Acad. Sci. USA, Vol. 90, August 1993, pp. 7789-7793.

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUBCLASS	FILING DATE IF APPROPRIATE
		6 5 8 6 4 4 1	07/01/03	BORRONI et al.			
	2003	0 1 8 7 0 0 4	10/02/03	ALMARIO GARCIO et al.			
		4 5 0 7 3 0 2	03/26/85	FAST et al.			
		4 6 1 9 9 3 3	10/28/86	STRINGFELLOW et al			
		4 7 2 5 6 0 0	02/16/88	TAKAYA et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	6	- 3 2 9 5 5 1	11/29/94	JAPAN			
	98	/ 2 4 7 8 2	06/11/98	W.I.P.O			
	00	/ 1 8 7 5 8	04/06/00	W.I.P.O			
		0 1 6 8 2 6 2	01/15/86	E.P.O			
		1 1 3 6 4 8 2	09/26/01	E.P.O			
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	49	- 0 3 5 6 3 3	04/02/74	JAPAN			
	49	- 3 5 6 3 4	04/02/74	JAPAN			
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

26	H. YINGLIN, Tetrahedron Letters, Vol. 30, No. 39, 1989, pp. 5285-5286.
27	English language Abstract of JP 6-329551 Date Publication 11/29/94.
28	H. YINGLIN, Synthesis, pp. 122-124, February 1990.
29	R.L. DUNCAN Jr. et al., J. Med. Chem., Vol. 13, No. 1, January 1970, pp. 1-6.
30	D.L. THAI et al., J. Med. Chem., Vol. 41, 1998, pp. 591-601.
31	Chemical Abstracts, Vol. 100, No. 28, 1984, Columbus, Ohio, US, Abstract No. 174768e, M.F. BRANA et al., "Reaction of N-(1-Oxido-4-Pyridylmethyl)-3,5-Dimethylbenzamide with Malononitrile in Acetic Anhydride", page 627; XP002127059.
32	Chemical Abstracts, Vol. 84, No. 7, 1976, Columbus, Ohio, US, Abstract No. 44112b, Tani et al., "4-Hydroxy-Pyridylpyrimidine Derivatives", Page 502, XP002127060.
33	Chemical Abstracts, Vol. 82, No. 28, 1975, Columbus, Ohio, US, Abstract No. 171028n, Tani et al., "2,4,5-Trisubstituted-6-Pyridylpyrimidine Derivatives", page 555, XP002127061.

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		6 0 9 6 7 5 3	08/01/00	SPOHR et al.			
		6 4 1 0 7 2 9	06/25/02	SPOHR et al.			
		6 4 2 0 3 8 5	07/16/02	SPOHR et al.			
	2005	0 0 9 0 4 9 0	04/28/05	UEHARA et al.			
		5 6 1 2 2 8 6	03/18/97	MAYER et al.			
		6 1 0 7 3 0 1	08/22/00	ALDRICH et al.			

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	98	/ 2 4 7 8 2	06/11/98	W.I.P.O				
	93	/ 1 1 2 3 1	06/10/98	W.I.P.O				
	03	/ 0 3 7 8 8 8	05/08/03	W.I.P.O				
		2 1 8 9 7 4	08/28/95	HUNGARY				
	P	0 0 0 1 6 9 8	04/28/01	HUNGARY				

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	34	Chemical Abstracts, Vol. 83, No. 28, 1975, Columbus, Ohio, US, Abstract No. 10127z, Tani et al., "5-Nitro-6-Pyridylpyrimidine Derivatives", page 853, XP002127062.
	35	Chemical Abstract 1992, Vol. 116, Abstract # 59167.
	36	Chemical Abstract 1966, Vol. 65, Abstract # 90645.
	37	Von Hans-Joachim KABBE, "Substituierte 4-Hydroxy- und 4-Amino-Pyrimidine", Liebigs. Ann. Chem., Vol. 701, pp. 144-149 (1967).
	38	Harvey I. SKULNICK et al., "Pyrimidinones. 1. 2-Amino-5-Halo-6-Aryl-4(3H)-Pyrimidinones. Interferon-Inducing Antiviral Agents", J. Med. Chem., Vol. 28, pp 1864-1869 (1985).
	39	U.S. Patent Application 09/787,426, filed July 2, 2001 to WATANABE et al.
	40	English language Abstract of JP 52-071481, published 06/14/77.

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		6 8 4 4 3 3 5	01/18/05	ALMARIO GARCIA et al.			
	2005	/ 1 3 0 9 9 8	06/16/05	ALMARIO GARCIA et al.			
	2005	/ 1 3 0 9 6 7	06/16/05	UEHARA et al.			
	2006	/ 2 5 2 7 6 8	11/09/06	WATANABE et al.			
		4 1 6 6 1 8 0	08/28/79	KATO et al.			

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		0 3 5 4 1 7 9	07/20/89	EPO			
	01	/ 0 7 0 7 2 8	09/27/01	WIPO			
	01	/ 0 7 0 7 2 9	09/27/01	WIPO			
	2004	/ 0 8 5 4 0 8	10/07/04	WIPO			
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		Anthony R. WEST, Solid State Chemistry and Its Applications", Wiley, New York, 1988 pp. 358 and 365
		Sudha R. VIPPAGUNTA et al., "Crystalline Solids", Advance Drug Delivery Reviews, Vol. 48, pp. 3-26 (2001)
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